



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Goldsmith Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR PROPAGATING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

MARIGOLD

'Janie'



In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington
this 29th day of May in
the year of our Lord one thousand nine
hundred and eighty.

Attest:

Leonard K. Lee
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Robert B. Berry
Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY		1b. VARIETY NAME JANIE		FOR OFFICIAL USE ONLY	
				PV NUMBER 8000053	
2. KIND NAME DWARF FRENCH MARIGOLD		3. GENUS AND SPECIES NAME TAGETES PATULA		FILING DATE 2/8/80	TIME 9:00 A.M.
4. FAMILY NAME (BOTANICAL) COMPOSITAE		5. DATE OF DETERMINATION MARCH 1978		FEE RECEIVED \$ 500. \$ 250.	DATE 2/8/80 3/14/80
6. NAME OF APPLICANT(S) GOLDSMITH SEEDS, INC.		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P.O. Box 1349 2280 Hecker Pass Hwy. Gilroy, CA 95020		8. TELEPHONE AREA CODE AND NUMBER (408) 847-7333	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) CORPORATION			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION CALIFORNIA		11. DATE OF INCORPORATION 1964
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: GLENN A. GOLDSMITH GOLDSMITH SEEDS, INC. P.O. Box 1349, GILROY, CA 95020					
13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:					
<input checked="" type="checkbox"/> 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)					
<input checked="" type="checkbox"/> 13B. Exhibit B, Novelty Statement.					
<input checked="" type="checkbox"/> 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)					
<input type="checkbox"/> 13D. Exhibit D, Additional Description of the Variety.					
14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		
15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," give name of countries and dates.)					
15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," give name of countries and dates.)					

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

Feb 1, 1980
(DATE)

Goldsmith Seeds Inc
(SIGNATURE OF APPLICANT)

by Glenn A Goldsmith
(SIGNATURE OF APPLICANT) **1**

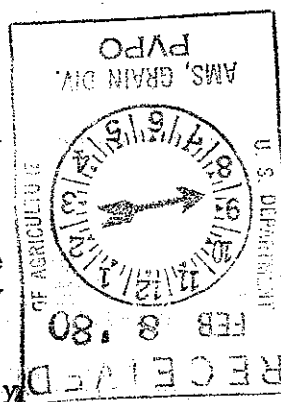
(DATE)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.



13A

Exhibit A

Origin and Breeding History of the Variety

8000053

Janie is a selection out of pedigree:

(OYP(M) x A)-3-(3)-4-(16)-(M)

"Janie" was derived from a 3-way cross of Petite Orange times Petite Yellow crossed to an Orange selection out of the mixture "Aquarius". A single plant was selected in the 3-way cross generation. Three similar appearing dwarf, extremely early flowering plants were selected in the next generation, self-pollinated and the seed bulked. In the next generation, one selection was made and self-pollinated. The population resulting from this selection was very uniform. 16 plants were self-pollinated and the seed bulked. The seed from these plants was used to plant a 1/4 acre increase block. The seed from this block was used as stock seed for the first production increase.

"Janie" appeared stable in the stock seed production plot and in the first production field.

As in most, if not all, French Marigold cultivars, there appears an off-type, generally similar to the cultivar, but has larger flowers and taller, looser habit. This rogue can appear as a whole plant or as a branch mutation latter in the season. The frequency is $\pm 1:5000$ plants.

13B

Exhibit B

Novelty Statement

Marigold "Janie" is most similar to Marigold "Orange Boy". "Janie" differs from "Orange Boy" in having a lighter flower color, flowering time is at least 3 to 4 days earlier and the flowers stand above the foliage throughout the growing season. The overall plant height is at least 2 to 3 inches shorter than "Orange Boy".

13B-1

Identify These Varieties and State All Differences, Objectively

Under our field conditions located in Gilroy, California:

MARIGOLD - JANIE

Color: Light Orange
Height: 7 to 8 inches
Flower Size: 1½-2 inches diameter
Flower Type: Loosely dbl. high crested
Habit: Compact, mound

MARIGOLD - ORANGE BOY

Color: Deep Orange
Height: 8 to 10 inches
Flower Size: 1½-2 inches diameter
Flower Type: tightly dbl. crested
Habit: Compact upright

MARIGOLD - PETITE ORANGE

Color: Orange
Height: 8 to 10 inches
Flower Size: 1-1½ inches diameter
Flower Type: Loosely dbl. high crested
Habit: Compact upright

MARIGOLD - HARVEST MOON

Color: Deep Orange
Height: 10 to 12 inches
Flower Size: 1½-2 inches diameter
Flower Type: Loosely dbl. high crested
Habit: Compact upright

MARIGOLD - CABARET ORANGE

Color: Light Orange
Height: 10 to 12 inches
Flower Size: 1½ inches diameter
Flower Type: Loosely dbl. irregularly crested
Habit: Loose upright

13B-2

Attach statistical data for characters expressed numerically and demonstrate that these differences are significant

MARIGOLD - JANIE

- 1) Flowers are more crested
- 2) Flowers stand above the foliage and are free flowering
- 3) In greenhouse pack growing trials:
sown: 2-28-79
flowered: 4-6-79
height at first flower: 4½ inches
flower color: light orange
note: consistent uniform flowering throughout trial in May, refer to color 35 mm slide (# 4).

MARIGOLD - ORANGE BOY

- 1) Flowers are double
- 2) Flowers are hidden by the foliage of the plant as it grows
- 3) In greenhouse pack growing trials:
sown: 2-28-79
flowered: 4-9-79
height at first flower: 6 inches
flower color: deep orange
note: flower heads are hidden by the foliage of the plant throughout trial in May, refer to color 35 mm slide (# 4).

13B-3

Submit, if helpful, photographs of plant comparison clearly indicating novelty.

Enclosed are the following 35mm color slides for this use:

- 1) Field shot
- 2) Flower Head closeup
- 3) Comparison of Janie vs. Orange Boy in April Pack Trials
- 4) Comparison of Janie vs. Orange Boy taken in May
- 5) Comparison of Janie vs. Harvest Moon
- 6) Comparison of Janie vs. Orange Cabaret

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

EXHIBIT C
(Marigold)

OBJECTIVE DESCRIPTION OF VARIETY
MARIGOLD (TAGETE)

INSTRUCTIONS - See Reverse.

NAME OF APPLICANT(S)

GOLDSMITH SEEDS, INC.

ADDRESS (Street and No., or R.F.D. No.; City, State, and ZIP Code)

P.O. Box 1349
2280 HECKER PASS HWY.
GILROY, CA 95020

FOR OFFICIAL USE ONLY

PVPO NUMBER

8000053

VARIETY NAME OR TEMPORARY
DESIGNATION

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g., 0 8 9) or 0 8) when number is either 99 or less or 9 or less.

1. SPECIES TYPE:

1 = ERECTA (African) 2 = PATULA (French) 3 = TENUIFOLIA (Signata) 4 = LUCIDA (Sweet)

2

5 = OTHER (Specify)

2. PLOIDY:

3

1 = DIPLOID (n =) 2 = TRIPLOID (n =) 3 = TETRAPLOID (n = 24)

3. PLANT TYPE/HABIT:

1

1 = EXTRA DWARF (Miniature, petite) < 20 CM. 2 = DWARF 25-35 CM. 3 = SEMIDWARF 40-55 CM. 4 = TALL > 60 CM.

2

1 = ERECT 2 = SEMIERECT 3 = DECUMBENT

1

1 = COMPACT 2 = LAX

1

Flowering: 1 = LONG SEASON 2 = SHORT SEASON

4. LEAF (Middle of first flowering branch):

2

Type: 1 = SIMPLE 2 = COMPOUND

2

Leaflet: 1 = OVATE 2 = LANCEOLATE 3 = ELLIPTIC 4 = FILIFORM

3

Margin: 1 = ENTIRE 2 = CRENATE 3 = SERRATE 4 = DENTATE 5 = INCISED

0 0 6

CM. LONG

5 0

MM. WIDE

1

Anthocyanin pigment in petioles: 1 = ABSENT 2 = PRESENT

1

Glands: 1 = PUNCTATE 2 = LARGE DOTS

1

Glands: 1 = BASAL 2 = APICAL

4

Odor: 1 = NONE 2 = MILD FRAGRANCE 3 = STRONG FRAGRANCE 4 = MILD "MARIGOLD" 5 = STRONG "MARIGOLD"

5. STEM:

1

1 = STRAIGHT 2 = ZIGZAG

2

1 = BRITTLE 2 = FLEXIBLE

1

Anthocyanin: 1 = ABSENT 2 = ALONG VEINS ONLY 3 = SOLID COLORATION

1 6

CM. FROM BASE OF STEM TO INVOLUCRE
OF TERMINAL FLOWER

1 0

CM. FROM BASE OF MAIN STEM
TO AXIL OF TOP BRANCH

0 6

CM. FROM AXIL OF TOP BRANCH TO INVOLUCRE
OF TERMINAL FLOWER

0 1

NO. OF INTERNODES BELOW FIRST BRANCH

0 6

NO. OF FIRST ORDER BRANCHES (from main stem)

6. FLOWER:

3

Type: 1 = CARNATION 2 = CHRYSANTHEMUM 3 = OTHER

CRESTED

2

1 = SINGLES 2 = DOUBLES

3

Silhouette: 1 = FLATTENED 2 = ROSETTE 3 = GLOBULAR

2

Odor: 1 = NONE 2 = MILD FRAGRANCE 3 = STRONG FRAGRANCE 4 = MILD "MARIGOLD" 5 = STRONG "MARIGOLD"

6. FLOWER: (Continued)

☐ Ray: 1 = FLATTENED 2 = CURLED/TWISTED (*Fantastic*)

☐ Apices: 1 = ENTIRE 2 = LOBED 3 = NOTCHED

☐ SURFACE - Dorsal: }
☐ SURFACE - Ventral: } 1 = GLABROUS 2 = PUBESCENT 3 = PUBESCENT ON APICE ONLY

☐ LUSTER - Dorsal: }
☐ LUSTER - Ventral: } 1 = SHINY 2 = DULL

☐ PATTERN - Dorsal: } 1 = SOLID 2 = SPOTTED 3 = STRIPED

☐ PATTERN - Ventral: } 4 = PICOTEE 5 = OTHER (*Specify*)

☐ Color: 1 = SOLID 2 = BICOLOR (*Specify colors*): Primary Lt. Orange Secondary 23A-B

State color standards used: R.H.S. Color Chart

SIZE (Use outer row of first matured flower): ☐ ☐ MM. LONG ☐ ☐ MM. WIDE

☐ Disc: 1 = ABSENT 2 = PRESENT, COVERED 3 = PRESENT, UNCOVERED

☐ Type: 1 = NOT QUILLED 2 = QUILLED

7. DISEASE RESISTANCE (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

☐ ROOT-ROT (*Phytophthora*) ☐ VIRUS YELLOWS

☐ GREY MOLD (*Botrytis*) ☐ FUSARIUM WILT

☐ STEM ROT (*Sclerotinia*) ☐ WITCHES BROOM

8. INDICATE A VARIETY THAT MOST NEARLY RESEMBLE THAT SUBMITTED

CHARACTER	VARIETY	CHARACTER	VARIETY
Plant shape		Flower size	Orange Boy
Plant size	Orange Boy	Flower shape	Harvest Moon
Foliage	Orange Boy	Flower color	Cabaret Orange

INSTRUCTIONS

REFERENCES: The following publications may be used as a reference aid for completing this form:

- (a) Bailey, L. H., 1949, Manual of Cultivated Plants, MacMillan.
- (b) Royal Horticulture Society, 1965, Dictionary of Gardening, Oxford.
- (c) Wyman, Donald, 1971, Wyman's Gardening Encyclopedia, MacMillan.

COLOR: Nickerson's or any recognized color fan may be used to determine the colors.